HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No.7397 (MS) of 2001
Old No. 13339 of 1983

Sh. Shyam Narain Khanna,
S/o late R.K. Khanna
Hotel Walnut Grove, Mussorie
District Dehradun. ..... Petitioner

Vs

Civil Judge, Dehradun and others. ..... Respondents.

Dated:- 21-9-2004

Hon'ble Rajesh Tandon J.

File has been transferred from Allahabad High Court.

None appears for the parties.

By the present writ petition the petitioner has prayed for issue of a writ, order or direction in the nature of certiorari quashing the order dt. 6-8-1983 passed by the respondent No.1.

Briefly stated the petitioner is a tenant of a portion of the building, Walnut Grove Estate, Kulri, Mussorie at the rate of Rs. 8000/- per annum.

By present application the proceedings under Section 30 of the U.P. Act No. 13 of 1972 has been rejected.

Civil Judge has passed the order, that application is not maintainable as there is no dispute in respect of the ownership of the building and as such the application under Section 30 (2) of the U.P. Act No.13 of 1972 has been rejected.

Te writ petition has no force and has hereby dismissed. No order as to costs.

Dated:- 21-9-2004 **(RAJESH TANDON J.)**

M.K.